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Attorney for Defendant/Appellant
JOHN GERINGER

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff/Appellee,

v.

JOHN GERINGER,

Defendant/Appellant.

USDC Case No. 12 Cr. 888 EJD

USCA Case No. 15-10353

MEMORANDUM IN FURTHER SUPPORT OF
RENEWED MOTION FOR RELEASE FROM
CUSTODY

Before the Honorable Edward J. Davila
United States District Judge

1 John Geringer respectfully submits this memorandum to apprise the Court that on Friday,
2 December 16, 2016, the deadline to petition the Ninth Circuit for rehearing expired, and the
3 United States did not file a petition. *See United States v. Geringer*, USCA No. 15-10353. So
4 too, the government filed no opposition to Mr. Geringer's renewed motion for release from
5 custody (ECF No. 244) within the time prescribed by Criminal Local Rule 47-2(d), *i.e.*, by
6 Wednesday, December 14, 2016. On the record in this case, Mr. Geringer contends there is no
7 proper legal or factual basis to deny him bail pending sentencing—nor has the government
8 identified one—and he therefore respectfully asks the Court to grant his renewed motion for
9 release from custody at this time.

10
11 DATED: December 19, 2016

Respectfully submitted,

LAW OFFICE OF JAY A. NELSON

/s/ Jay A. Nelson
JAY A. NELSON
818 SW 3rd Avenue, No. 221-3534
Portland, OR 97204

Attorney for Defendant/Appellant
JOHN GERINGER

PROOF OF SERVICE

I, Jay A. Nelson, certify that on December 19, 2016, I served all parties in this matter by filing the foregoing pleading electronically, as set forth by Local Rule 5-1.

Dated: December 19, 2016 */s/ Jay A. Nelson*
JAY A. NELSON